

TERMED

**United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 6,1 (Chicago)
CRIMINAL DOCKET FOR CASE #: 1:14-cr-00565-1
Internal Use Only**

Case title: USA v. Rotundo
Other court case number: 4:14MJ309 Eastern District of
Texas , Sherman

Date Filed: 10/04/2014
Date Terminated: 10/08/2014

Assigned to: Honorable Susan E. Cox

Defendant (1)

Nicholas Joseph Rotundo
TERMINATED: 10/08/2014

represented by **Robert David Seeder**
Federal Defender Program
55 East Monroe Street
Suite 2800
Chicago, IL 60603
(312) 621-8300
Email: robert_seeder@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Pending Counts

None

Highest Offense Level (Opening)

None

Terminated Counts

None

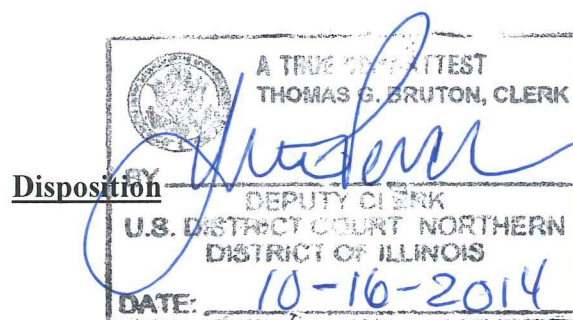
Highest Offense Level (Terminated)

None

Complaints

18:2261.F--Interstate Domestic Violence

Disposition



Disposition

Disposition

Plaintiff

USA

represented by **Sean Joseph Byrnes Franzblau**

USAO NDIL

219 S. Dearborn

Suite 3006

Chicago, IL 60604

312 353 5305

Email: sean.franzblau@usdoj.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Assistant US Attorney

AUSA

United States Attorney's Office (NDIL)

219 South Dearborn Street

Suite 500

Chicago, IL 60604

Email: USAILN.ECFAUSA@usdoj.gov

ATTORNEY TO BE NOTICED

Designation: Assistant US Attorney

Pretrial Services

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Email:



ilnptdb_Court_Action_Notice@ilnpt.uscourts.gov

ATTORNEY TO BE NOTICED

Designation: Pretrial Services

Date Filed	#	Docket Text
10/04/2014	<u>1</u>	RULE 5(c)(3) Affidavit in Removal Proceedings signed by Judge Honorable Susan E. Cox as to Nicholas Joseph Rotundo (1) (SEALED) (yap,) Modified on 10/10/2014 (td,). (Entered: 10/08/2014)
10/04/2014		ARREST of defendant Nicholas Joseph Rotundo (yap,) (Entered: 10/08/2014)
10/06/2014		ORAL MOTION by USA to transfer defendant Nicholas Joseph Rotundo in custody based on danger to the community (yap,) (Entered: 10/08/2014)
10/06/2014	<u>2</u>	ORDER as to Nicholas Joseph Rotundo (1): Removal proceedings held. Defendant, Nicholas Rotundo appeared in response to arrest on 10/4/2014. Defendant informed of his constitutional rights. Robert Seeder, from the Federal Defender Program is appointed as counsel for the removal proceeding only. Defendant is seeking to retain private counsel. Defendant informed of the charges against him and of the possible sentence and fine if convicted of those charges. Government's oral motion to be transferred in

		custody based on danger to the community is entered and continued until 10/7/2014 at 2:00 p.m. Defendant's oral motion for release is entered and continued. Defendant waived his right to an identity hearing. Defendant shall remain in custody pending further order of the court. Signed by the Honorable Susan E. Cox on 10/6/2014. (yap,) (Entered: 10/08/2014)
10/06/2014		ORAL MOTION by Nicholas Joseph Rotundo for release is entered and continued. (yap,). (Entered: 10/08/2014)
10/06/2014	<u>3</u>	ATTORNEY Appearance for defendant Nicholas Joseph Rotundo by Robert David Seeder (yap,) (Entered: 10/08/2014)
10/06/2014	<u>4</u>	ORDER Appointing Counsel Robert Seeder as to defendant Nicholas Joseph Rotundo. Signed by the Honorable Susan E. Cox on 10/6/2014. (yap,) (Entered: 10/08/2014)
10/07/2014	<u>5</u>	ORDER as to Nicholas Joseph Rotundo (1): Detention hearing held. Governments oral motion for Defendant to be transferred in custody based on danger to the community is entered and continued until tomorrow 10/8/2014. Defendants oral motion for release with conditions that are not as strict as detention is entered and continued. The Government and Mr. Seeder will coordinate with the Court to set a time for the continued detention hearing pending the arrival of the Defendants mother. The Government and Defendant have agreed upon certain conditions as outlined in open court. The Court will only consider conditions that allow for the proposed third party custodian to be present in court tomorrow, 10/8/2014 and travel back to Texas with the Defendant. The Court strongly recommends that the Pretrial Services Office located in Dallas, Texas conduct a mental health evaluation of the Defendant upon his arrival. Defendant shall remain in custody pending further order of the Court. Signed by the Honorable Susan E. Cox on 10/7/2014. (yap,) (Entered: 10/08/2014)
10/08/2014	<u>6</u>	REMOVED PER IOP 30(b) (vv,)(td,). Modified by Clerk's Office on 10/16/2014 (td,). (Entered: 10/08/2014)
10/08/2014	<u>7</u>	ORDER as to Nicholas Joseph Rotundo: Detention hearing held. Government's oral motion to transfer defendant in custody based on danger to the community is denied. Defendant's oral motion for release with conditions that are not as strict as detention is granted. The Government and defendant agree to certain conditions of release as outlined in open court. Enter Order setting conditions of release. Third party custodian, Sophia Rotundo, was admonished in open court and advised of her responsibilities as the third pary custodian. Defendant is prohibited from using the internet in any way. Defendant is ordered removed and directed to appear in the Eastern District of Texas as directed. (Terminated defendant Nicholas Joseph Rotundo). Signed by the Honorable Susan E. Cox on 10/8/2014. (yap,) (Entered: 10/10/2014)
10/08/2014	<u>8</u>	ORDER requiring defendant Nicholas Joseph Rotundo to appear in the District where charges are pending and transferring bail <u>7</u> . Signed by the Honorable Susan E. Cox on 10/8/2014. (yap,) (Entered: 10/10/2014)

10/08/2014	 <u>9</u>	ORDER Setting Conditions of Release as to Nicholas Joseph Rotundo in amount of \$4,500.00 UNSECURED. Signed by the Honorable Susan E. Cox on 10/8/2014. (yap,) (Entered: 10/10/2014)
10/08/2014	 <u>10</u>	UNSECURED Bond as to Nicholas Joseph Rotundo in the amount of \$ 4,500.00, (yap,) (Entered: 10/10/2014)
10/10/2014	<u>11</u>	ORDER as to Nicholas Joseph Rotundo: The Clerk is directed to enter the redacted criminal complaint in this matter. Signed by the Honorable Susan E. Cox on 10/10/2014. (yap,) (Entered: 10/10/2014)
10/10/2014	<u>12</u>	CRIMINAL COMPLAINT by USA as to Nicholas Joseph Rotundo (yap,) (Entered: 10/10/2014)
10/10/2014	<u>13</u>	MOTION by USA to seal CR complaint as to Nicholas Joseph Rotundo (SEALED). (yap,) (Entered: 10/10/2014)
10/10/2014	<u>14</u>	ORDER as to Nicholas Joseph Rotundo: Order granting motion <u>13</u> (SEALED). Signed by the Honorable Susan E. Cox on 10/10/2014. (yap,) (Entered: 10/10/2014)
10/16/2014	<u>15</u>	CERTIFIED and Transmitted to Eastern District of Texas, Sherman the complete record consisting of Instructional Letter, Transmittal Letter, Order Setting Conditions of Release, Appearance Bond, Order transferring case, Order requiring a defendant to appear in the District where charges are pending & transferring bail and certified copy of docket entries as to Nicholas Joseph Rotundo. (yap,) (Entered: 10/16/2014)

UNITED STATES DISTRICT COURT

for the

United States of America

v.

Nicholas Rotundo

Defendant

Case No. 14 CR 565

APPEARANCE BOND

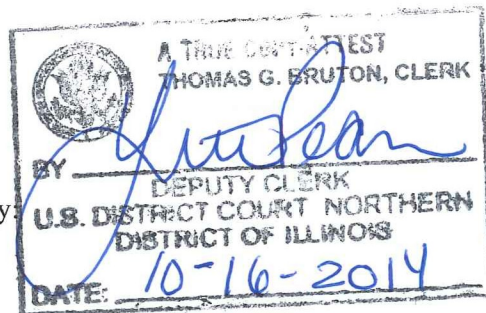
Defendant's Agreement

I, Nicholas Rotundo (defendant), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- (☒) to appear for court proceedings;
 (☒) if convicted, to surrender to serve a sentence that the court may impose; or
 () to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

- (☒) (1) This is a personal recognizance bond.
 (☒) (2) This is an unsecured bond of \$ 4,500.00.
 () (3) This is a secured bond of \$ _____, secured by:
 () (a) \$ _____, in cash deposited with the court.
 () (b) the agreement of the defendant and each surety to forfeit the following cash or other property (describe the cash or other property, including claims on it — such as a lien, mortgage, or loan — and attach proof of ownership and value):



If this bond is secured by real property, documents to protect the secured interest may be filed of record.

- () (c) a bail bond with a solvent surety (attach a copy of the bail bond, or describe it and identify the surety):

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

AO 98 (Rev. 12/11) Appearance Bond

Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

Declarations

Ownership of the Property. I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

Acceptance. I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: Oct 14

Defendant's signature

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

CLERK OF COURT

Date: 10/8/14

Signature of Clerk or Deputy Clerk

Approved.

Date: 10/8/14

Judge's signature

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS

United States of America
Plaintiff

v.

Nicholas Rotundo
Defendant

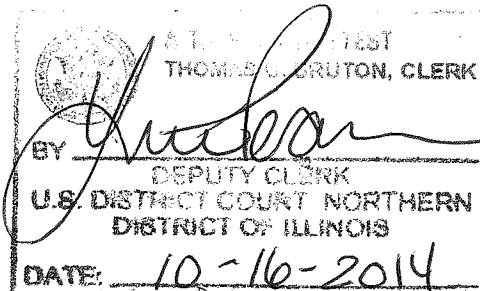
14 CR 565

Magistrate Judge Cox

ORDER

Detention hearing held. Government's oral motion to transfer Defendant in custody based on danger to the community is denied. Defendant's oral motion for release with conditions that are not as strict as detention is granted. The Government and Defendant agree to certain conditions of release as outlined in open court. Enter order setting conditions of release. Third party custodian, Sophia Rotundo, was admonished in open court and advised of her responsibilities as the third party custodian. Defendant is prohibited from using the internet in any way. Defendant is ordered removed and directed to appear in the Eastern District of Texas as directed.

(Time: 00:25)



Date: Oct. 8, 2014

A handwritten signature in black ink, appearing to be "Susan E. Cox", written over a horizontal line.

U.S. Magistrate Judge, Susan E. Cox

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

UNITED STATES DISTRICT COURT
for the
Northern District of Illinois

United States of America

v.

Nicholas Rotundo

Defendant

Case No. 14 cr 565

Charging District: Eastern District of Texas

Charging District's Case No. 4: 14MJ309

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place:	Courtroom No.:
	Date and Time:

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: 10/08/2014

*Judge's signature*

U.S. Magistrate Judge, Susan E. Cox

Printed name and title